

FIRST REGULAR SESSION

HOUSE BILL NO. 193

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DIEHL (Sponsor) AND COX (Co-sponsor).

0890H.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 115.027, RSMo, and to enact in lieu thereof one new section relating to boards of election commissioners.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 115.027, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.038, to read as follows:

115.038. 1. The following section shall apply to all boards of election commissioners.

2. The board of election commissioners shall be composed of four members selected by the governor from a list of candidates provided by the state political party committees of the two major political parties within this state.

3. Beginning August 28, 2013, if a vacancy shall occur in the office of the board of election commissioners, the state political party committee of the same political party as the member whose seat has become vacant for any reason, shall provide the governor a list of three candidates to fill such vacancy and the governor shall select one individual from the list to fill such vacancy with the advice and consent of the senate. Whenever the position of chairman or secretary of the board shall become vacant, the governor's selection from the list shall also fill the position of chairman or secretary of the board.

4. All selections based on political party membership shall occur such that two commissioners on each board shall be members of one major political party, and two commissioners shall be members of the other major political party. The chairman and secretary of a board shall not be members of the same political party. If any member of a board should change his or her political party affiliation or renounce all political party

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 affiliation, then such action shall have no effect on the right of the political party
19 committee, identical to such member's political party status at the time he or she was either
20 appointed by the governor under section 115.027 or chosen by a political party committee
21 under this section, to choose the list of successors for selection by the governor to fill a
22 vacancy created when such member shall leave office for whatever reason.

23 **5. The governor may also appoint one representative of his own choosing to the**
24 **board for observation and informational purposes. The representative shall not be a**
25 **member of the board, shall not have voting status, and shall not be compensated, but shall**
26 **be allowed to participate in discussions and be informed of any meeting of the board.**

2 [115.027. 1. Each board of election commissioners shall be composed
3 of four members, appointed by the governor with the advice and consent of the
4 senate. Two commissioners on each board shall be members of one major
5 political party, and two commissioners on each board shall be members of the
6 other major political party. In no case shall more than two commissioners on a
7 board be members of the same political party. When appointing commissioners,
8 the governor shall designate one commissioner on each board to be chairman of
9 the board and one commissioner on each board to be secretary of the board. The
10 chairman and secretary of a board shall not be members of the same political
11 party.

12 2. In jurisdictions with boards of election commissioners as the election
13 authority, the governor may appoint to the board one representative from each
14 established political party. The representative shall not be a member of the board
15 for purposes of subsection 1 of this section. The state chair of each established
16 political party shall submit a list of no more than four names from which the
17 governor shall select the representative for that party. The representative shall
18 not have voting status, and shall not be compensated, but shall be allowed to
participate in discussions and be informed of any meeting of the board.]

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